IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Crl.Rev.Pet.No. 1520 of 2007()

CRA.397/2006 of III ADDL.SESSIONS COURT, KOLLAM
CC.542/2003 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOLLAM

.....

REVN. PETITIONER: APPELLANT/ACCUSED

S.THULASEEDHARAN,CHARUVILA PUTHEN VEEDU,
SANTHIPURAM,MIYYANNOOR P.O,KOLLAM.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

---

1. RADHAKRISHNAN,S/O.GOVINDA PILLAI,
THULASI BHAVANAM,NORTH MYLAKKADU,KANNANALLOOR P.O,
KOLLAM.

2. STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1520 of 2007

Dated this the 10th day of April, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for four months and to pay a fine of Rs.5,000/- and in default, to undergo simple imprisonment for one month. The fine amount, if realised, is ordered to be given to the complainant.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to pay the fine amount. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.45,000/- vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for three months. Revision petitioner is granted four months' time from today onwards to pay the amount of compensation. He shall appear before the Judicial First Class Magistrate Court-II, Kollam on

10.8.2007 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl